

09/913,780
Page 12

REMARKS

Claims 1 and 47-87 were pending. Examiner allowed claims 85 and 86, rejected claims 1, 47-77, 79-82 and 87, and objected to claims 78, 83 and 84. Applicant has amended the specification, cancelled claim 48 and amended claims 1, 47, 50-53, 60, 63, 64, 68, 71, 72, 76, 82 and 87. Applicant respectfully submits that claims 1, 47 and 49-87 are in condition for allowance, as set forth more fully below.

Examiner's Response to Previous Amendment: Specification

Examiner declined to enter pages 3 and 4 of the previously filed amendment because the line numbers indicating where the paragraphs began were incorrect. Applicant has now corrected the line numbers and made further amendments to the specification to correct additional typographical errors not noted by Examiner.

Examiner objected to the specification for not including an abstract on a separate sheet. An abstract on separate sheet is now included at the end of this paper. The text of the Abstract is identical to that in the corresponding PCT application, WO00/49463.

Examiner repeated the objection raised in the previous office action to the disclosure. Applicant has now amended the specification, with the correct reference to the line numbers.

Applicant therefore respectfully request that all objections to the specification be withdrawn.

Claim Rejections Under 35 U.S.C. § 112

Examiner rejected claim 79-82 under 35 U.S.C. § 112 ¶ 2 as being indefinite. Following Examiner's suggestion, Applicant has amended these claims, replacing the word "carrier" with "carriage", which finds sufficient antecedent basis. Applicant therefore requests that the rejection be withdrawn.

Claim Rejections Under 35 U.S.C. §§ 102 and 103

Examiner rejected claims 1, 47, 48, 51, 52, 54-59, 61, 63, 67, 68, 71 and 87 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 4,764,815 ("*Landsman*"). The cancellation of claim 48 renders the rejection of that claim moot. Applicant submits that the remaining claims, as amended, are not anticipated by *Landsman*.

09/913,780
Page 13

At the outset, it should be noted that the invention disclosed and claimed in the present application provides a precise, continuous, rapid and format-independent platesetter that is reliable. One aspect of the invention that enables these features is transporting of the printing plates directly on a low-friction support bed without using a moving support such as the platen disclosed in *Landsman*.

Landsman concerns moving a printing plate rapidly and accurately within the time imparted by the turn-around time of a shuttling head. *Landsman* proposes to resolve the problem by a complex double-platen system. The system in *Landsman* comprises a primary platen (30) carrying a photosensitive media. The primary platen (30) is mounted on a reference platen (32). These two platens operate in tandem to accurately space consecutive imaged bands. The operation is at least in part described at column 9, lines 24-63. Briefly, *Landsman* proposes advancing the reference platen (32) during the time for the segment of the scan, which in a representative case is 0.9 seconds, and then advancing the primary platen to a stop (66) on the reference platen once the scan segment is completed. Because the position of the stop (66) is already set at the desired location, the primary platen can be advanced to the stop rapidly without resorting to precise servo control. *Id.*

In contrast to *Landsman*, the invention claimed in the present application enables rapid and precise movement of the printing plate by reducing or eliminating the inertia of various components of the platesetter. The elimination of massive moving support structure such as a platen facilitates rapid transportation of the printing plates.

Turning to the rejection of specific claims, each of independent claims 1, 47 and 87 includes the limitations of "a supporting bed" and "driving means" or "carriage" "for sliding the printing plate ... on the support bed." As discussed above, *Landsman* does not disclose this combination. Specifically, *Landsman* does not teach sliding the printing plate relative to its support (*i.e.*, the platen). Claims 1, 47 and 87 are therefore not anticipated by *Landsman*.

Similarly, independent claim 51 requires "a support bed directly supporting the printing plate" and "a carriage member for sliding the printing plate on the support bed". Such combination is not disclosed in *Landsman*, as discussed above regarding claims 1, 47 and 87. Claim 51 is therefore not anticipated by *Landsman*.

09/913,780
Page 14

Furthermore, each of the claims 52, 54-59, 61, 63, 67, 68 and 71 ultimately depends on one of claims 47 and 51 and therefore includes further limitations. Claims 52, 54-59, 61, 63, 67, 68 and 71 are therefore also not anticipated by *Landsman*.

In sections 9-14 of the Office Action, Examiner rejected claims 49, 50, 53, 60, 62, 64-66, 69, 70, 72-77, 79, 82 under 35 U.S.C. § 103(a) over various combinations of prior art, all including *Landsman*. Applicant respectfully disagrees.

To establish *prima facie* obviousness, all the claim limitations must be taught or suggested by the prior art. See MPEP 2143.03. Each of the independent claims 49, 50 and 53 includes the limitations of "a supporting bed" and "driving means" or "carriage" "for sliding the printing plate ... on the support bed." As discussed above, *Landsman* teaches supporting the printing plate on one or more moving platens. Any combination of *Landsman* with the cited prior art, whether or not such combination is permissible under the patent law, would not teach or suggest supporting and sliding the printing plates on a support bed. Thus, claims 49, 50 and 53 are not obvious in light of the cited prior art.

The same reasoning also leads to the conclusion that none of the claims rejected under 35 U.S.C. § 102(b) is obvious in light of the cited prior art.

Each of the claims 60, 62, 64-66, 69, 70, 72-77, 79, 82 ultimately depends on one of claims 47, 49 and 51 and therefore contains further limitations in addition to those in the base claims. Claims 60, 62, 64-66, 69, 70, 72-77, 79, 82 are therefore also not obvious in light of the cited prior art.

Allowed Claims and Allowable Subject Matter

Examiner allowed claims 85 and 86. Examiner also acknowledged that claims 78, 83 and 84 contained allowable subject matter but objected to them as being dependent on rejected claims. Because Applicant believes the base claims, as amended, are in condition for allowance, as discussed above, Applicant submits that claim 78, 83 and 84 are also allowable without amendment.

Examiner also acknowledged that claims 80 and 81 would be allowable if rewritten to overcome rejections under 35 U.S.C. § 112 ¶ 2 and in independent form to include all limitations of the base claim and any intervening claims. Applicant believes that the currently amended claims 80 and 81 have overcome the rejections under 35 U.S.C. § 112 ¶ 2. Further,

09/913,780
Page 15

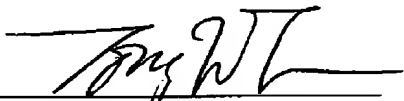
as discussed above, because the base claim, claim 47 for both claims 80 and 81, is allowable, claims 80 and 81 are also allowable.

Applicant therefore respectfully submits that claims 1, 47 and 49-87 are in condition for allowance and requests that a timely Notice of Allowance be issued in this case.

Respectfully Submitted,

MICHEL MOULIN

By:


Tong Wu, #43,361
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-6804

Dated: September 23, 2003

M2:20371267.01

RECEIVED
CENTRAL FAX CENTER
SEP 25 2003

OFFICIAL